

**MINUTES OF THE FLORENCE TOWN COUNCIL MEETING HELD ON MONDAY,
NOVEMBER 16, 2009 AT 6:00 P.M. IN THE CHAMBERS OF TOWN HALL,
LOCATED AT 775 N. MAIN STREET, FLORENCE, ARIZONA.**

CALL TO ORDER

Mayor Kilvinger called the meeting to order at 6:03 p.m.

ROLL CALL

Present: Kilvinger, Smith, Woolridge, Raasch, Hawkins, Brown

Absent: Celaya

PLEDGE OF ALLEGIANCE

Former Mayor Kay Otte led the Pledge of Allegiance.

CALL TO THE PUBLIC

Call to the Public for Public Comment on items that appear on the November 16, 2009 Town Council Agenda.

Mr. Tom Rankin discussed the Capital Improvement Projects and Plans. He said the new Adamsville Road will need to be widened and would like to see the improvements happen. He has spoken to staff and they informed him that the money is allocated elsewhere. He does not know of a more important project than healthcare. He would like the Council to direct staff to look into fixing the road.

PUBLIC HEARING AND PRESENTATIONS

Public Hearing on a Conditional Use Permit request to allow for church and school use on property located within the R1-6 (Single-Family Residential) Zoning District located at the northwest corner of Butte Avenue and Willow Street in Florence. And for Discussion/Approval/Disapproval of Resolution No. 1215-09.

Himanshu Patel, Town Manager, read Resolution No. 1215-09 by title only.

**A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA,
APPROVING A CONDITIONAL USE PERMIT (CUP) FOR CASE NO. PZC-61-09-
CUP.**

Mr. Mark Eckhoff, Planning Director, gave a brief overview of the zoning that has transpired on the property. He said the request is for a Conditional Use Permit (CUP) to allow for church use as well as accessory uses such as the classrooms, food bank, and other services. The CUP cleans up the zoning for the property and allows the church to move forward with their proposal to expand the uses and to provide a new building on the site. The Planning and Zoning Commission has forwarded a unanimous favorable recommendation for the CUP. He noted that the property is in the Historic District and went before the Historic District Advisory Commission and they too have forwarded their support and a favorable recommendation.

Mayor Kilvinger opened the public hearing.

Mr. James Ballard stated that they would like to build the building for a food bank. He said they have approximately 1500 people utilize the food bank each month. The majority of those who use the food bank are homebound and senior citizens who live on a fixed income. Volunteers work at the food bank and deliver the meals to the homebound. The current food bank has three flights of stairs which makes it very difficult for seniors to use the food bank. He added that people from other communities utilize the food bank as well.

An audience member stated that he wanted to do something worthwhile and he began helping at the food bank. He has seen the gratitude, the need, despair, and pain of those they help. He hopes that the Town doesn't miss the opportunity to do something good for so many.

Ms. Patty Hankins stated that she lost her husband a few years ago and still had a child to support. She said she worked very hard but still was unable to make ends meet. If it were not for the food bank, they would not have eaten. She utilized the food bank for approximately one year and is now a volunteer at the church. The actual numbers of those who they feed are well over 4,000 people per month; with 4,300 in October 2009. They distribute food on Monday, Wednesday, and Friday in Florence and on Tuesday and Thursday in Coolidge. The Arizona Food Bank has placed the church on their website. She cannot stress enough the importance of the CUP and hopes that the Council will grant the request.

Mr. Raul Guilen stated that he came to Florence in 1972. He has survived cancer and open-heart surgery and met many friends at the church. He is barely making ends meet and is grateful for what the church has offered such as food, and medical trips.

Councilmember Brown asked how the streets would be impacted.

Chief Ingulli answered that it would not be a problem.

Mayor Kilvinger closed the public hearing.

On motion of Councilmember Woolridge, seconded by Councilmember Raasch, and carried to adopt Resolution No. 1215-09.

Presentation of award received from Arizona Chapter of the American Planning Association for Best Project or Study for the 2009 Town of Florence Redevelopment Plan.

Mr. Mark Eckhoff, Planning Director, gave a brief overview of the selection process for each of the awards. He presented the award to Mayor Vicki Kilvinger. He said the awards reflect the Town's vision, perseverance and sincere interest in preserving the historic downtown. He said Mr. Scott Powell, Economic Development Coordinator, led the effort and many members of the Town staff were involved. He also recognized the

Historical District Advisory Commission, Redevelopment Commission, Main Street, OTAK, and the Department of Commerce (for grant).

Mayor Kilvinger said that the Town is very fortunate to have such a cooperative group with staff, volunteers, and everyone who has contributed to the positive efforts being made for Florence. She is pleased that there are many past Mayors in the audience who have seen what Florence has accomplished.

Presentation of award received from Arizona Chapter of the American Planning Association for Best Historic Preservation Project for Historic Silver King Hotel Rehabilitation Project.

Mark Eckhoff presented the award to Mayor Vicki Kilvinger for the Silver King Hotel. He said that the Town has received four awards since its rehabilitation. The rehabilitation was possible because of the many people involved.

Mayor Kilvinger thanked everyone who has assisted with the rehabilitation.

Presentation of a proclamation declaring December 3, 2009 as Johnny Swearingen Day in the Town of Florence.

Mayor Kilvinger presented the proclamation to Johnny Swearingen. She stated that Mr. Swearingen is very important to Florence and a great historian. She said he has contributed many great things to Florence.

Mr. Swearingen thanked everyone for their kindness and stated Florence is a wonderful place to live.

Mayor Kilvinger thanked former Mayors Kay Otte, Marsha Day, Wilbur Freeman, Tom Rankin, and Andy Ramirez for their attendance.

Former Mayor Andy Ramirez reminisced about being the Mayor and working with Mr. Swearingen.

CONSENT: All items indicated by an (*) will be handled by a single vote as part of the consent agenda, unless a Councilmember or a member of the public objects at the time the agenda item is called.

- a. ***Acceptance of Arlene Dale Harman's resignation from the Planning and Zoning Commission; appointment of Mr. James Petty to the vacated seat with a term to expire December 31, 2009. Mr. Sanders shall continue to serve as a Planning and Zoning Commission alternate member.**
- b. ***Acceptance of the register of demands ending October 31, 2009 in the amount of \$1,506,580.57.**

c. ***Approval of the minutes of the October 5, 2009 and October 19, 2009 Town Council meetings.**

d. ***Receive and file the following board and commission minutes:**

- i. **August 26, 2009 Historic District Advisory Commission minutes.**
- ii. **February 26, 2009 Parks & Recreation Advisory Board minutes.**
- iii. **August 20, 2009 Planning and Zoning Commission minutes.**

On motion of Councilmember Brown, seconded by Councilmember Raasch, and carried to approve the consent agenda as written.

NEW BUSINESS

Discussion/Approval/Disapproval of authorizing staff to invest an additional \$5,000,000 with Stone and Youngberg.

Ms. Becki Guilin, Finance Director, stated the Town has approximately \$10,000,000 invested with Stone and Youngberg and approximately \$9,900,000 invested in National Bank of Arizona. The investment yield at National Bank is very low at .25%, the LGIP Pool 5 is at .29% and LGIP Pool 7 is at .11%. The Town has \$20,000,000 invested in the LGIP Pool 7. The Stone and Youngberg average interest yield is approximately 2.75%, so the Town is requesting to invest \$5,000,000 with Stone and Youngberg.

On motion of Councilmember Woolridge, seconded by Councilmember Raasch, and carried to invest an additional \$5,000,000 with Stone and Youngberg.

Resolution No. 1213-09

Mr. Patel read Resolution No. 1213-09 by title only.

A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT WITH THE WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA DELEGATING THE DETERMINATION OF CERTAIN MATTERS RELATING THERETO TO THE MANAGER OF THE TOWN; PROVIDING FOR THE TRANSFER OF CERTAIN MONIES AND MAKING CERTAIN COVENANTS AND AGREEMENTS WITH RESPECT THERETO AND AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY SUCH LOAN AGREEMENT AND THIS RESOLUTION.

Ms. Guilin stated that the Council authorized the loan application by Resolution No. 1189-09 on June 13, 2009. On September 30, 2009, Mr. Wayne Costa, Public Works Director, met with the WIFA Board to present and discuss the application for financing \$1,300,000 for the Plant Road Wastewater Treatment Plant. On October 14, 2009, WIFA Board of Directors approved Loan Resolution No. 2010-06, authorizing WIFA staff to execute a loan agreement with the Town of Florence. She said WIFA requires that a

resolution be adopted by the Council authorizing the authorized representative to execute the loan agreement. She added that the amortization schedule is included in the Council packet and it is for a 20 year loan.

Mr. Costa stated that the loan is for the next expansion of the Plant Road Wastewater Treatment Plant from 2.5 to 4.0 million gallons per day. He explained the necessary steps involved include:

- Preparing an Aquifer Protection Permit (APP) – takes approximately one year
- Preliminary engineering to determine the method of increase and the capacity of the plant. The intent is to use the same infrastructure.
- Seeking tertiary treatment to provide better quality effluent

Councilmember Brown asked what the funds will encompass.

Mr. Costa stated that \$580,000 is for the preliminary engineering and design; \$700,000 is for the tertiary treatment. He said should the Town elect to use a different process, the \$700,000 can be used for future design on the plant in the next phase. He added that the next phase would be contingent upon the capacity needs in the next two to three years.

Councilmember Hawkins confirmed that that payment will be \$93,000 per year.

Vice-Mayor Smith stated that it is important to stay ahead of the curb so the Town doesn't end up in the same situation that it has been in before.

Mr. Costa agreed with Vice-Mayor Smith and said that the plant is at 72% capacity. He said that at 80%, the Town will be mandated by ADEQ to go into design; and at construction at 90%. He said if the Town gets the commitment for the 500,000 gallons of extra sewage that would be needed in about 2012, it is imperative that the Town start with at least the preliminary engineering at this point in time as well as the permit requirements.

On motion of Vice-Mayor Smith, seconded by Councilmember Raasch, and carried to adopt Resolution No. 1213-09.

Resolution No. 1214-09

Mr. Patel read Resolution No. 1214-09 by title only.

A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING THE PERSONNEL POLICIES AND PROCEDURES DATED THE 16TH DAY OF DECEMBER, 2002, BY AMENDING SECTION 02.05, TITLED, POLITICAL ACTIVITY EFFECTIVE JANUARY 1, 2010.

Mr. Patel stated that the item came before Council as a revision that was necessary to further clarify the rules and regulations associated with political activity as it is governed for the employees. He said upon review and implementation it was noted that additional

clarification was needed so that employees are better informed about the rules associated with political activity, particularly in identifying what local campaigning is and what campaigning is about . The language was fine tuned in the policy and clarified the broad definitions. The legal counsel and management staff have reviewed the policy and it is in compliance with the Town's Rules and Regulations.

Councilmember Raasch has asked if there has been any negativity from the employees.

Ms. Jeanette Grady, Human Resources Director, stated that she has not received any negative comments. She said the clarification that the policy has provided gives employees actual direction of what they can and can't do in accordance with policy and gives them a better understanding and clarifies issues that could arise.

On motion of Councilmember Raasch, seconded by Councilmember Brown, and carried to adopt Resolution No. 1214-09.

DEPARTMENT REPORTS

Manager's Report

Department Reports

Courts

Finance

Fire

Library

Parks and Recreation

Planning & Zoning

Police

Public Works

The Council received and filed the reports.

CALL TO THE PUBLIC/COUNCIL RESPONSE:

Tom Rankin stated that he sat on the Council not long ago when the Town bought an ambulance for the Fire Department. The Fire Department in the past ten years has progressed tremendously and it would be advantageous to the Town to begin an ambulance service for the Town. He asked that as the budget session approaches, studies be done regarding putting the ambulance on line.

CALL TO THE COUNCIL

Councilmember Hawkins would like staff to look at the Adamsville Road situation discussed by Tom Rankin.

Councilmember Raasch welcomed back Becki Guilin, Finance Director.

Vice-Mayor Smith reminded everyone that November 28, 2009, is rodeo time. They have a lot to do in a short time. He said the Queen's Ball was excellent. He appreciates the Posse for their hard work.

Mayor Kilvinger thanked the staff for the wonderful program with the Capital City Tree Program. She said it was a wonderful experience.

ADJOURN TO EXECUTIVE SESSION

For the purpose of discussion of the public body in accordance with A.R.S. 38-431.03(a)(1) to discuss the organizational structure of the Town of Florence, and for the purpose of discussion of the public body in accordance with A.R.S. 38-431.03(a)(3)&(4) to update the Council with regards to pending and threatened claims.

On motion of Councilmember Woolridge, seconded by Councilmember Hawkins, and carried to adjourn to Executive Session.

ADJOURN FROM EXECUTIVE SESSION

On motion of Mayor Kilvinger, seconded by Councilmember Brown, and carried to adjourn from Executive Session.

ADJOURNMENT

Mayor Kilvinger adjourned the meeting at 8:15 p.m.



Vicki Kilvinger, Mayor

ATTEST:



Lisa Garcia, Town Clerk

I certify that the following is a true and correct copy of the minutes of the Florence Town Council Regular Meeting held on November 16, 2009, and that the meeting was duly called to order and that a quorum was present.



Lisa Garcia, Town Clerk